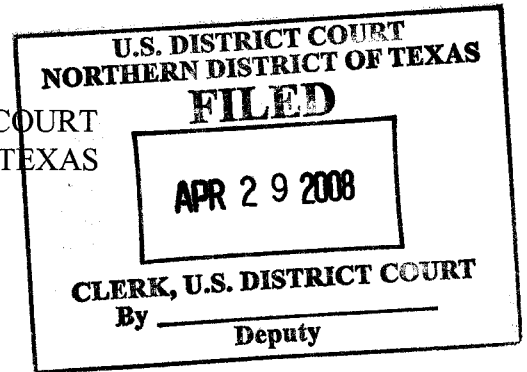


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



STEVEN EUGENE PRESLEY,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:08-CV-0013

**ORDER ADOPTING REPORT AND RECOMMENDATION,**  
**OVERRULING OBJECTIONS,**  
**DENYING APPLICATION TO PROCEED *IN FORMA PAUPERIS*,**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner STEVEN EUGENE PRESLEY has filed with this Court an application for a writ of habeas corpus by a person in state custody. Said habeas petition was filed without prepayment of the required \$5.00 filing fee. Instead, petitioner submitted, with his petition for habeas relief, An Application to Proceed *In Forma Pauperis* along with a certified *in forma pauperis* data sheet from the penal institution in which he is incarcerated.


On February 6, 2008, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's application to proceed *In Forma Pauperis* be denied, and that the petition for a writ of habeas corpus filed by petitioner be dismissed for failure to pay the \$5.00 filing fee. On February 19, 2008, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of

the record in this case. The Magistrate Judge's February 6, 2008 Report and Recommendation is hereby ADOPTED, and petitioner's objections are hereby DENIED. Accordingly, petitioner's Application to Proceed *In Forma Pauperis* is DENIED, and the petition for a writ of habeas corpus filed by petitioner STEVEN EUGENE PRESLEY is DISMISSED.

IT IS SO ORDERED.

ENTERED this 29<sup>th</sup> day of April 2008.

  
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MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE